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6 UNITED STATES BANKRUPTCY COURT
 7 FOR THE DISTRICT OF MONTANA

8 In re) Case No. 06-60855-RBK
 9 INCREDIBLE AUTO SALES, LLC,) **NOTICE OF HEARING**
 10 Debtor(s).) Date: April 24, 2007
) Time: 9:00 A.M.
) Location: 316 N. 26th Street
) 5th FL CRTRM, Billings, MT

11 OBJECTION TO DEBTOR'S MOTION FOR LEAVE TO TRANSFER VEHICLES HELD IN
 12 THE DEBTOR'S INVENTORY TO CERTAIN FINANCIAL INSTITUTIONS IN FULL
 13 SETTLEMENT AND RELEASE OF ALL DEBT AND CLAIMS AGAINST THE DEBTOR
 AND THE CONSUMER BUYERS

14 COMES NOW, WFS Financial, Inc.(herein after Creditor) and objects to the Debtors
 15 Motion for Leave to Transfer Vehicles Held in the Debtor's Inventory to Certain Financial
 16 Institutions in Full Settlement and Release of All Debt and Claims Against the Debtor and the
 17 Consumer Buyers for filed with this Court for reasons as follows:

18 1. Creditor is the holder of a secured claim against the Debtor(s), and pursuant to Mont.
 19 LBR 4001-1, provides the following information:

- 20 (a) The present balance owing to Creditor, excluding any pre computed interest
 21 or other unearned charges, is \$15,524.71.
- 22 (b) The date upon which the subject debt was incurred was April 8, 2004 on the
 23 contract and September 28, 2006 for the non-sufficient check.
- 24 (c) Creditor holds a security interest or lien upon the following described
 25 property of the estate:

26 Security interest: 2004 Chrysler Concorde, Vin #2C3HD36M54H633246 per

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1 terms of the contract dated April 8, 2004.

2 Check written to WFS Financial, Inc. to pay off the lien on the 2004 Chrysler
3 Concord that was traded into Incredible Auto Sales by the Spah's for which the
4 check was written in the amount of \$15,524.71.

5 (d) The nature of Creditor's security interest, the date upon which the security
6 interest was obtained, and the date upon which the security interest was perfected
7 are as follows:

8 WFS Financial, Inc. secured the loan on a vehicle purchased by Spah's on April 8,
9 2004 whereupon a lien perfected on April 26, 2004.

10 The Debtor by their Motion is requesting permission from the Court to transfer the
11 particular vehicles on List Exhibit A to the particular Financial Institution on Exhibit B for full
12 satisfaction and release of the lien and to cover the alleged debt by each the consumer and the
13 Debtor for which there are approximately eight vehicles.

14 On Exhibit A, the Debtor lists Michael Geiser for a 1997 Explorer, payoff \$3,152.63 to
15 WFS.

16 On Exhibit B, the Debtor lists WFS Financial, Inc for Michael Geiser and then at the
17 under WFS Financial, Inc. the Debtor lists the attorney of record, Gregory W. Duncan for the
18 Kelly Spah Loan with WFS.

19 There is no vehicle listed for the debt owed to WFS on the Kelly Spah contract as the
20 vehicle for the contract is a 2004 Chrysler Concord.

21 The Debt owed to WFS Financial under the Kelly Spah contract is \$15,524.71 by both the
22 contact and the NSF check presented to this Court on the Proofs of Claim.

23 WHEREFORE, WFS Financial, Inc. objects to the Debtor's Motion for Leave to Transfer
24 Vehicles Held in the Debtor's Inventory to Certain Financial Institutions in Full Settlement and
25 Release of All Debt and Claims Against the Debtor and the Consumer Buyers as the debt owed
26 to WFS Financial, Inc. under the Kelly Spah contract is not \$3,152.63 but instead \$15,524.71 and

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the vehicle secured under the Kelly Spah contract is a 2004 Chrysler Concord.

By: Gregory W. Duncan
Attorney for Creditor

CERTIFICATE OF SERVICE

Under penalty of perjury, I hereby certify that on the 15th day of March, 2007, I served a true and exact copy of the foregoing document by depositing the same in the U.S. Mail, first class postage prepaid, CM/ECF, and/or facsimile addressed to the following:

Neal G. Jensen
Assistant U.S. Trustee

Clark B. Rice
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William L. Needler
Attorney for Incredible Auto Sales

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